

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY BENDER,
Plaintiff,

v.

SIEMENS CORPORATION, et al.,
Defendants.


No. C 09-1248 SI

**ORDER TO SHOW CAUSE WHY
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO SERVE PROCESS
WITHIN 120 DAYS**

Plaintiff filed this action on March 23, 2009. As of July 29, 2009, plaintiff has not filed proof of having served defendant Siemens Corporation, nor has that defendant appeared. Plaintiff has neither sought nor received permission to extend the 120 day period for service mandated by Rule 4(m) of the Federal Rules of Civil Procedure. Accordingly, **plaintiff is ordered to show cause in writing, to be filed no later than August 5, 2009, why this action should not be dismissed without prejudice for failure to timely serve.**

IT IS SO ORDERED.

Dated: July 29, 2009



SUSAN ILLSTON
United States District Judge